

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BENNIE EDWARD PIERCE, JR.,

Plaintiff,

v.

STATE OF TEXAS,

Defendant.


§
§
§
§
§
§
§
§
§
§

Case No. 2:19-cv-00350-JRG-RSP

ORDER

Plaintiff Bennie Edward Pierce, Jr. previously filed a complaint in *forma pauperis* against the State of Texas in the above-referenced matter. Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 3), recommending dismissal of the complaint as frivolous and for failure to state a claim pursuant to 28 U.S.C. § 1915A and separately for failure to prosecute. Because no objections have been filed and for the reasons set forth in the Report and Recommendation, it is **ADOPTED**. A final judgment will issue separately.

So ORDERED and SIGNED this 5th day of January, 2023.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE